G. R. S. 58

Previous references.

-Bs 14, 15, 21-24, B9-10

File No. 9-13

1913

Serial Nos. 2-5

(Banks

Later references.

Hy 83-15-1 ... 29

GENERAL AND REVENUE SECRETARIAT.

al Nos. 2 - 5

B. for November 13

SUBJECT.

Repayment of loan due by Mr T. Raghavendrappa to the Agricultural Bank at Chickmagalur.

.om - No Dy Commr Kadur - No 135 dated 8-9-13

Submits for orders the application of T. Subba Rao, on the sons of Mr D. Raghavendrappa, an indebted member Bank praying that the entire amount due from the her may not be recovered in a lump as a penalty paying the prescribed instalments for 12-13 in time

.. No Dy Commr - Kadur - No 1666 dated 19-9-13

Requests him to state whether the accounts were led for from the [illegible] and what his opinion is as reg strict enforcement of the penalties in consequence of the lay in the payment of the instalments.

rom No Dy Commr, Kadur - No 1792 dated 2-10-13

States that no accounts were called for from the

member and that in view of the full amount of instal-
ment of Rs 1507/- having been paid the small delay of
two months in the payment may be condoned and
the concessions already granted allowed to stand.

7 To - Ne Dy Comm Kadur Dt - Ltr 2111 dated 15-11-13

Requests that the amount held in deposit be
credited to the loan acct of Raghavendrappa and directs
~~allow the~~ that the concessions already granted
be allowed to stand on the understanding that
the loan instalment be punctually paid on or before
the last day of June every year

G.R.S. 11] 1913.

GENERAL AND REVENUE SECRETARIAT.

Banking)

NOTES.

File No. 9-12

FILE HEADING.

Agricultural Bank at Chickmagalur.

From

The Deputy Commissioner, Kadur.

No. 135 Dated 8 9 13 Received 10-9-13

Diary No. 1216 | Enclos. 2 Spare Copies. | Serial No. 2

BRIEF ABSTRACT OF LETTER.

Submits for orders the application of Mr T Subbaiah, one of the sons of Mr T Raghavendrappa, an indebted member of the Bank, praying that the entire amount due from his father may not be recovered in a lump as penalty for not paying the prescribed instalment for 1912-13 in time.

NOTES AND ORDERS.

1. On a representation from Mr C. Srinivasa Rau, Coffee planter, on behalf of Mr T. Raghavendrappa, it was ordered in G.O. no X 7155 89-90-B 9-10-24 of 11-5-1911, after consultation with the D.C. Kadur, that the accumulated and current interest due by the debtor might be foregone

Under the said Govt order, the amount of principal due by the member, viz Rs 15,070-2-3, was made payable in ten annual instalments. The first instalment was paid before the due date but the second one, viz. for 1912-13, not having been paid in time, the Dy Comr issued a notice to the member this sons calling upon them to pay up the entire amount due, as they failed to abide by the conditions of the G.O. of 11.5.1911.

3. As a result of the notice, a sum of Rs 1000/- was paid on 29.8.13, and

Serial No.

another sum of Rs 507/- on 5-9 1913. Mr T. Subbaiah, the applicant in question, prays that the total amount thus paid viz 1507/- may be taken towards the 2nd instalment due, that the delay in its payment may be condoned in view of the comparatively small crop picked last year, and that the Dy Com's order for the recovery of the entire amount in a lump may be revised.

4. The Dy Com^r solicits orders of Govt on the application and states that the G.O. referred to does not allow him discretion in the matter. He also points out that there has been failure on the part of the doctor (1) to pay the 2nd instalment punctu and (2) to render correct accounts of the receipts & expenditure every year.

5. Regarding the delay in payment, it will seen from the Dy Com's letter that the instalment was due before the end of June, but was paid by the 5th Sept^r 1913 i.e about 2 months after it was due. This is explained in the application as due to the small crop realised last year. On the other point viz rendering accounts there is

nothing in the application. It is not clear if accounts for the two years 1911-12 & 1912-3 are due, and if so why when the instalment for the former year was paid up, the accounts were not insisted on. The Dycom simply says "they have also not been adhering to the condition contained in Sub para 3 of para 1 of the Govt Resp".

Submitted for orders.

A.N. 108 1319 SN

6 The point for consideration in this case is whether for a delay of 2 mths the debtors under ~~the~~ ~~security~~ ~~bond~~ liable to all the penalties prescribed. It may be said that no date has been fixed for each instalment & the essence of the contract. We think what is necessary is that the annual instalment should be paid every year. The debtors have paid the instalment & the rest of the conditions of our Resolution are ~~of~~ such great importance that the breach of any one of them will bring upon the debtors all the penalties. However that may be, we may in as much as these cases have been fixed on their merits and as money has been paid without

. R. S. 12 j

General and Revenue Secretariat.

File No. 9 of 1913 .

Serial No.

much delay in the readiness which shows the intention of the party to do their portion of the settlement perhaps a little by power to credit the amt towards repayment of the loan and also requesting him to tell the debtors that in future the instalments should be paid before the last day of June in every year that no excuse of any sort will be listened to. If no account should be by 30th Sept particularly pointing that the debtors shall be called upon for Cancer Claim anything more than their annual instalment. This perhaps necessary when the debtors plead inability to pay but there can be no Cancer under any circumstance admit. However there was nothing against the Dy Comm for calling for accts. Nor has stated whether he called for accounts & the debtors made default.

15-9-13

A draft letter requesting the Dy Comm to state whether the accounts were called for by him and yet a default was made in their production by the debtor concerned and

R. S. 12]

General and Revenue Secretariat. | B File No. 9 of 1913

Serial No.

what his opinion is as regards the strict enfor the consequences
of nonly 3 months in the payment of ist
instal

Draft Submitted.

ASR 108 1649

1564

Dy Secy) 9. Approved Dmcs 17.9.13. 1769

10

To the Dy Com, Radcliffe

no. Je 1664 dt 19.9.13

Requests him to state whether the accounts were called for from the member what his opinion is as regards the strict enforcement of the penalties in consequence of the delay in the payment of the instalment.

From the Dy Com, Radcliffe St.

no 179 dt 2.10.13.

States that no accounts were called for from the member and that in view of the full amount of instalment of Rs 1507/. having been paid the small delay of two months in the payment may be condoned and the

R. S. 12]

General and Revenue Secretariat.

B File No. 9 of 1913

Serial No.

Concessions already granted allowed to stand.

11 Submitted for orders.

ASR 108 SW 4/10

12 Memorandum drafted stating that land held in deposit might be credited to the loan accounts of the debtors and that on learning them the concessions will be allowed to stand on the distinct understanding that the loan instalment shall be punctually paid on or before the last day of June in every year and that a default on the part of any one debtor would make the concession invalid.

4.10.13

13 Draft submitted

ASR 108 21/10

Secy (Rev)

21.10.13

14 Issue

CSB 11/11/13

11.11.13

General and Revenue Secretariat. | File No. 9 of 1913.

Serial No.	
5	To the Dy Commr, Kadur Dt Rc H 2114 dt 15-11-1913 Requests the amount held in deposit credited to the Commrs of Rayandroog allows the concessions granted to stand on the distinct understanding that the loan instalment should be punctually paid on or before the last day of June every year

1913-14

From The Deputy Commissioner
Kaira District

To The Secretary to the
Govt of Bombay.

Dated 8-9-1913
Despatched 9-9-1913
Received
General No. 135
No.
Enclosure No. Two

Reports upon the
loans from the Co-operative
Agricultural Bank,
Chakrasagar &c. &c.
from T. Raghavendrarao
& his sons.

Deputy Commissioner's Office,

Kadur District,

Dated, Chikmagalur, 6th September 1913.

From,

K.Krishma Iyer, Esquire,

Offg. Deputy Commissioner, Kadur District.

To,

K.R.Srinivasiengar, Esquire, M.A.

Secretary to the Government of Mysore,

Revenue & General Departments.

Sir,

I have the honor to state that in persuance of Government Order No. Fl. 5589-90/B.9-10-24 of the 11th May 1911 in thr matter of the loan amount due by Mr. T.Raghavendrappa, an indebted member of the late Chikmagalur Coffee Bank, a mutchalika was obtained from the member and his three sons on the 26th June 1911 binding themselves to the punctual payment of the instalment and other conditions as laid down in the said Government Order.

2. The amount then due by the member was Rs. 15070-2-3 payable in ten annual instalments. Towards the first instalment, a sum of Rs. 1507-2-3 was paid on the 25th April 1912. The second instalment Viz which was to have been paid by the end of June 1913, at the latest, not having been paid in time, notices were issued to the member and his three sons ir

doing so, a sum of Rs.1000/- was paid on the 29th August 1913 and another sum of Rs. 507/- was paid on the 5th September 1913. the total amount is held in deposit in the Kadur District Treasury. Not only have they thus failed to pay the instalment due punctually, but they have also not been adhering to the condition contained in Sub Para 3 of Para 1 of the Government Proceedings quoted above.

3. One of the sons of Mr. T.Raghavendrappa, has put in the enclosed application praying that the entire loan may not be recovered as stated in the notice for reasons mentioned by him. I submit the application for favor of orders in the matter. The concluding portion of sub para 5 of para 1 of the Government Order leaves no discretion to the Deputy Commissioner in the matter of the recovery of the whole amount including the current and accumulated interest thereon.

I have the honor to be,

Sir,

Your most obedient servant,

Offg. Deputy Commissioner,

NS Kadur District.

To the Deputy Commrs

Kadur District

Dated Chikmagalur 25-8-1913.

Notice

Mr. T. Raghavendrappa - erstwhile Member of the late Agricultural Bank at Chikmagalur, Pensioned Treasurer at present residing at Tarikere & his Sons.

1. T. Subba Rao - Clerk - Revenue General Secretariat
2. T. Narayana Rao } Chikmagalur
3. T. Rama Rao

Please take notice hereby that as you stand to abide by the conclusions of Govt order No: Ft 5589-90/ 0-24, dated 18-5-1911, viz payments of the correct amounts received from and Expenditure

to Government as security for the loan due by you (2) the obtaining of the previous sanction of the undersigned for the disposal of the crop of the Coffee Estate and of the other lands of (3) the making of punctual payment of the instalment for the year 1912-13 on the due date, under which you have been bound, the concession granted by you in the matter of the remission of the previous current interest has been rendered null & void by the said failure on your part & that the whole amount of the loan with current and accumulated interest has now to be paid up by you.

2. If within the end of September 1913 you will not have paid up to this office the entire amount of money due by you the same will be recovered by proceedings against your properties as directed by the Government order.

"Copy"

N. Macnaughton

Dy. Collector

File No. 9-13

Serial No. 3

Diary No. of letter replied to 1216

No. H 1664

Dt 19-9-1913

General and Revenue Secretariat

(Bandung)

, *the* 191 .

To

The Deputy Conr.

Kadur Dt.

Date of issue 19-9-13

Sir.

Signed by W L Narasimhaiah

With reference to your letter no 135 Dt 8-9-13 submitting for order the application of Mr T. Subbaiah, Son of Mr T. Raghavendrapp an indebted member of the late Agricultural Bank at Chickmagalur, in the matter of the recovery of the entire amount due from his father as a penalty for failure to pay the second instalment on the

over.

SUBJECT.

the date and for not rendering the requisite accounts. I am directed to request you to be so good as to state whether the accounts were called for by you and yet a default was made in their production by the debtor concerned; and what your opinion is as regards the strict enforcement of the penalties in consequence of the delay of nearly three months in the payment of the instalment.

The application received with your letter is herewith returned for reference and resubmission

I have

For Secretary.

17.9.13

17/9

List of enclosures,

Copied by

Examined by

GPB—25,000—8-8-11.

II B, Agr
3/60
1917

1913 - 14

From The Deputy-Commissioner
Kaira District

To The Secretary to the
Govt. of Bombay,
Gen. & Rev. Depts

Dated 30-9-1913. Bangalore
Despatched 2-10-1913.
Received

General No. 179
No.

Enclosure No. Nil

Reports upon the
arrears recovered from
Rajpayendraphs, an
indebted minor &
late agriculturist
Kant, Chakrageer.

DIARY NO. 1481

1913-1914

SECTION: Bankg

FILE NO. 9-13 4

Deputy Commissioner's Office,

Kadur District.

Dated, Chikmagalur, 30th September 1913.

From,

K.Krishna Iyer, Esquire,

Deputy Commissioner, Kadur District.

To,

K.R. Srinivasaraghavan, Esquire, M.A.
Secretary to the Govt. of Mysore
Rev: & Gen: Departments.

Sir,

With reference to yout letter No Fl 1664/ 9-13-3 dated th 19th September 1913 in the matter of the recovery of the entire amount due from Mr T.Raghavendrappa, member of the late Chikmagalur Agricultural Bank as a penalty for failure to pay the second instalment on the due date and for not rendering the requisite accounts, I have the honor to s[illegible]t no accounts were called for from the member. As regards the enforcement of the penalties, in consequence of the delay, I beg to state that the full amount of instalment of Rs 1507/ was paid by the 5th September 1913. The small delay of two months may be condoned and the concessions already granted allowed

I have the honor to be,

Sir,

Your most obedient servant,

K Krishna Iyer

Deputy Commissioner,

Kadur District.

NS.

G. R. S. 26]

File No. 9-13

Serial No.

Diary No. of letter replied to 1481

No. JC 2114

15-11-1913

General and Revenue Secretariat

(Banking)

, *the* *191* .

To

The Deputy Comr.

Kadur Dt

Date of issue 15-11-13

Signed by W L Narasimhan

Sir,

With reference to the correspondence ending with your letter no. 179 Dt 30.9.13 in the matter of the delay in the payment of the second instalment of the amount due by Mr T Raghavendrappa, an indebted member of the late Agricultural Bank at Chickmagalur, I am directed to request you to have the amount held in deposit

over.

SUBJECT.

~~any~~ credited to the loan account of the debtor. I am further ~~also~~ to state that, as recommended by you, the concession already granted to the debtor will be allowed to stand, on the distinct understanding that the loan instalment should be punctually paid on or before the last day of June every year. ~~and that a delay hereafter shall will render the concession invalid~~

I have the

~~Secretary~~ 18/11/13

List of enclosures,